

EDOK Criminal Complaint (Revised 6/13)

**United States District Court**  
**EASTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

**v.**

**TYKWAN MARKWA DEVON MCGEE,**

*Defendant.*

**CRIMINAL COMPLAINT**

**Case No. 22-MJ-22-SPS**


I, Special Agent Jan Kum, the undersigned complainant, state that the following is true to the best of my knowledge and belief.

In or about May 2021 through September 2021 and on or about January 12, 2022, in the Eastern District of Oklahoma, **TYKWAN MARKWA DEVON MCGEE**, committed Aggravated Sexual Abuse in Indian County and Sexual Abuse in Indian Country in violation of Title 18, United States Code, Section(s) 2241(a), 2241(c), 2242, 1151 & 1153.

I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the following facts:

(See attached Affidavit of Special Agent Jan Kum which is attached hereto and made a part hereof by reference.)


☒ Continued on the attached sheet.

  
Jan Kum  
Special Agent  
Federal Bureau of Investigation  
Complainant

Sworn to before me and subscribed in my presence at: MUSKOGEE, OKLAHOMA

Date: January 21, 2022

STEVEN P. SHREDER  
UNITED STATES MAGISTRATE JUDGE  
Name and Title of Judicial Officer

  
Signature of Judicial Officer



**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Special Agent Jan Kum, being duly sworn, depose and state that:

**INTRODUCTION**

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), and have been so employed since December of 2010. I am currently assigned to the Oklahoma City Division, Ardmore Resident Agency.

2. As a Special Agent, I am authorized to investigate violations of the laws of the United States, and to execute warrants issued under the authority of the United States.

3. The statements contained in this Affidavit are based in part on: information provided by other agencies, written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents; independent investigation; witness interviews; and my experience, training, and background as a Special Agent with the FBI. Because this Affidavit is being submitted for the limited purpose of establishing probable cause to believe that TYKWAN MARKWA DEVON MCGEE, committed the below-described offenses, I have not included every detail of the investigation. In addition, unless otherwise indicated, all statements contained in this Affidavit are summaries in substance and in part. The following is true to the best of my knowledge and belief.

**PROBABLE CAUSE**

4. As will be shown below, there is probable cause to believe that TYKWAN MARKWA DEVON MCGEE committed violations of Title 18, United States Code, Sections 2241(a), 2241(c), 2242, 1151, and 1153 all of which occurred in Indian Country, within the boundaries of the Chickasaw Nation.

5. VENUE: the facts and circumstances alleged in this affidavit occurred within the Eastern District of Oklahoma. More specifically, based on the Supreme Court decision in *McGirt v. Oklahoma* (2020), the below-described location is within the geographic boundaries of the Chickasaw Nation, and therefore is within Indian Country.

6. DEFENDANT: the defendant is TYKWAN MARKWA DEVON MCGEE, date of birth October 3, 1995, hereinafter referred to as MCGEE. The subject described herein is an enrolled member of the Chickasaw Nation.

7. I received information regarding a crime which occurred in Carter County, within the boundaries of the Chickasaw Nation. This affidavit is intended to show there is sufficient probable cause, for a Complaint and does not set forth all my knowledge about this matter. This affidavit is made in support of a Complaint and Arrest Warrant for a crime in violation of Title 18, United States Code, Sections 2241(a), 2241(c), 2242, 1151, and 1153. In support of this request, I submit the following:

8. MCGEE and S.R. have been in an on-again, off-again dating relationship. S.R. has an eight-year-old daughter, D.R. D.R. has a date of birth of March 22, 2013. S.R. and D.R. live in an apartment on Knox Road, in Ardmore, OK 73401 (hereinafter referred to as the Residence). On January 12, 2022, MCGEE, S.R., and D.R. were at the Residence. S.R. walked from the living room to a bedroom within the Residence and saw D.R. laying on the bed on her stomach with her underwear below her buttocks. S.R. observed her boyfriend, MCGEE, standing behind D.R. with his boxers pulled down and his genitalia exposed. When MCGEE saw that S.R. was in the room, he ran away by jumping off the Residence's balcony. The Residence is a second-floor apartment. D.R. then disclosed to S.R. that MCGEE had inserted his fingers inside her vagina. S.R. immediately contacted law enforcement to report what had happened to D.R..

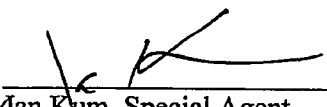
9. After law enforcement responded to the events of January 12, 2022, and during the

course of the investigation, S.R. was interviewed about her relationship with MCGEE. S.R. described that in the summer of 2021, S.R. allowed MCGEE inside the Residence to use the shower. MCGEE physically forced himself on top of S.R., pulled down S.R.'s underwear, and inserted his penis inside her vagina. S.R. repeatedly stated "no" and physically resisted, including trying to pull up her underwear. MCGEE choked S.R. until she believed she would pass out. S.R. stopped resisting because she feared for her life. MCGEE continued to repeatedly insert his penis inside S.R.'s vagina until he ejaculated. Following his ejaculation MCGEE communicated to S.R. that he loved her and that he was sorry. During this interview S.R. communicated that she had not previously reported this incident because she was dating the defendant, allowed him into the Residence, and did not know if it qualified as rape.

10. MCGEE, S.R., and D.R. are all enrolled members of the Chickasaw Nation.

11. Based on a review of this case, and based on my knowledge and experience, I, as your Affiant, have probable cause to believe TYKWAN MARKWA DEVON MCGEE committed the above offenses in violation of Title 18, United States Code, Sections 2241(a), 2241(c), 2242, 1151, and 1152.

Respectfully Submitted,

  
\_\_\_\_\_  
Jan Kum, Special Agent  
Federal Bureau of Investigation

Sworn before me this 21 day of January 2022.

  
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UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF OKLAHOMA